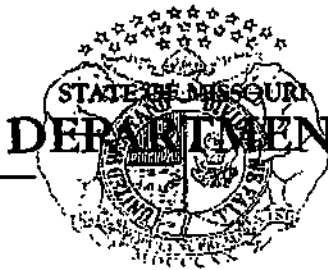


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DEPARTMENT OF NATURAL RESOURCES

Bob Holden, Governor Stephen M. Mahood, Director

A717

March 8, 2002

Mr. Jeffery Zelms
President
The Doe Run Company
Suite 300
1801 Park 270 Drive
St. Louis, MO 63146

40173276



SUPERFUND RECORDS

Dear Mr. Zelms:

I am writing to follow up on the meeting with The Doe Run Company, the Missouri Department of Natural Resources, the U.S. Environmental Protection Agency, Department of Health and Senior Services, Agency for Toxic Substances and Disease Registry and the Attorney General's Office in Kansas City on March 5, 2002 to discuss the lead contamination problem in Herculaneum, Missouri. We are dismayed and disheartened that the company did not propose any proactive plan to immediately address the public health crisis facing the citizens of Herculaneum. In response to repeated questions toward the end of the meeting essentially asking what the company was going to do now to address the unprecedented blood lead level results, the company consistently replied that it has cleaned the yards, and the homes, etc.; that this is not a new problem; the lead is from lead paint; and other evasions. The company never provided an adequate response to the question.

As we and EPA stated in the meeting, the company's practice of doing the minimum work to obtain marginal regulatory compliance is clearly unacceptable given the continuing health threat to citizens of Missouri. We will not idly stand by while the company attempts to buy time by pursuing regulatory appeals of our order, while the citizens of the state of Missouri and their children continue to be subjected to the single worst pollution problem in the state. The Governor and I are committed to protecting the health of the citizens of Herculaneum, especially the children who are particularly sensitive to lead poisoning. We will take whatever action is necessary to do this.

The present situation has many aspects, most importantly 45 percent of children tested in 2001 who reside east of highway 61/67 have elevated blood-lead levels. In addition, staff has estimated a very high historical recontamination rate for lead and continued high road concentrations. While meeting the NAAQS for lead is a regulatory requirement, it is not sufficient to address the public health and environmental crisis facing the town.

Mr. Zelms

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Recontamination is a major concern, and the company must take steps to address this issue immediately.

It is clear to us that the company must proceed on three fronts. First and most importantly, it must maintain a separation of people from the contamination until a cleanup is complete and ensure that no harmful exposure to lead will occur in the future. Second, it must proceed to clean up the contamination in a thorough and systematic way so that the community remains economically viable and can continue to function through the cleanup process and beyond. Third, the company must drastically reduce emissions from all sources so that the present rates of redeposition are reduced.

We provided our information showing historical redeposition occurring at rates that render any property cleanup futile within a few years. Unless emissions from all of the smelter related sources are reduced, with a corresponding drastic reduction in redeposition, we are clearly wasting our time and resources. Assertive action to get all of the necessary controls in place is needed. Continuing monitoring of lead levels in properties is necessary so that prompt action can be taken to prevent health impacts from occurring.

I cannot stress enough that this matter needs and deserves your urgent attention. As we discussed, we expect a response outlining additional steps that the company plans to take to adequately address this public health and environmental crisis by the close of business on March 15, 2002.

Sincerely,

DEPARTMENT OF NATURAL RESOURCES



Stephen Mahfood
Director

SM/mjb

c:

Ron Cates, DHSS
Jim Gulliford, EPA
Caleb Weaver, Governor's Office